

IN THE UNITED STATES ARMY
FIRST JUDICIAL CIRCUIT

UNITED STATES)

v.)

MANNING, Bradley E., PFC)
U.S. Army, (b) (7)(C))
Headquarters and Headquarters Company, U.S.)
Army Garrison, Joint Base Myer-Henderson Hall,)
Fort Myer, VA 22211)

**DEFENSE MOTION TO
MERGE SPECIFICATIONS 5
AND 7 OF CHARGE II FOR
FINDINGS**

DATED: 30 July 2013

RELIEF SOUGHT

1. COMES NOW PFC Bradley E. Manning, by counsel, pursuant to applicable case law and Rule for Courts Martial (R.C.M.) 924(c), requests this Court to merge Specifications 5 and 7 of Charge II for findings.

STANDARD

2. "In a trial by military judge alone, the military judge may reconsider any finding of guilty at any time before announcement of sentence." R.C.M. 924(c).

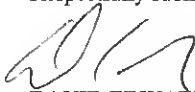
DISCUSSION

3. The Government has conceded that the transmissions in Specifications 5 and 7 of Charge II were one transmission. The Court has previously stated that the Defense may make a motion to merge these specifications for findings after findings are announced. See Appellate Exhibit 78, Court Ruling on Defense Motion to Dismiss for Unreasonable Multiplication of Charges.

CONCLUSION

4. In light of the foregoing, the Defense requests this Court to merge Specifications 5 and 7 of Charge II for findings.

Respectfully submitted,



DAVID EDWARD COOMBS
Civilian Defense Counsel